

AMENDMENTS TO THE CLAIMS

Kindly cancel Claims 1 through 22 and add new Claims 23 through 38 as follows. The following listing of claims will replace all prior versions and listings of claims in the application.

LISTING OF CLAIMS

1 through 22 Cancelled.

23. (New) A power tool housing have a mechanism for ejecting a battery pack, comprising:

a frame;

a cavity in said frame for receiving a battery pack;

a member for receiving a member on the battery pack to couple the battery pack with the power tool;

a biasing member in said cavity, said biasing member for ejecting said battery pack from said receiving member; and

a mechanism for retaining said biasing member in said cavity, and said battery pack received in said receiving member so that said battery pack is in contact with said biasing member such that when the battery pack is secured on said frame, said biasing member is in a compressed condition and when the battery pack is released from said frame, said biasing member ejects the battery pack from the frame.

24. (New) The ejector mechanism according to Claim 23, wherein said cavity defined by a pair of opposing side walls and an end wall adjoining said opposing side walls.

25. (New) The ejector mechanism according to Claim 24, wherein said receiving member including a pair of extending rails on each side wall, said rails opposing one another.

26. (New) The ejector mechanism according to Claim 25, wherein channels are formed adjacent said side walls and between said rails and frame for receiving mating rails on the battery pack.

27. (New) The ejector mechanism according to Claim 23, wherein said biasing member including at least one helical spring.

28. (New) The ejector mechanism according to Claim 23, wherein said biasing member extending from said end wall.

29. (New) A power tool, comprising:

a battery pack;

a housing;

a motor in said housing;

an output coupled with said motor;

an activation member for activating said motor;

a mechanism on said housing for receiving a battery pack including:

a frame;

a cavity in said frame for receiving a battery pack;

a member for receiving a member on the battery pack to couple the battery pack with the housing;

a biasing member in said cavity, said biasing member for ejecting said battery pack from said housing; and

a mechanism for retaining said biasing member in said cavity, and the battery pack received in said receiving member so that the battery pack is in contact with said biasing member such that when the battery pack is secured on said housing, said biasing member is in a compressed condition and when the battery pack is released from the housing, said biasing member ejects the battery pack from the frame.

30. (New) The power tool according to Claim 29, wherein said cavity defined by a pair of opposing side walls and an end wall adjoining said opposing side walls.

31. (New) The power tool according to Claim 30, wherein said receiving member including a pair of extending rails on each side wall, said rails opposing one another.

32. (New) The power tool according to Claim 31, wherein channels are formed adjacent said side walls and between said rails and frame for receiving mating rails on the battery pack.

33. (New) The power tool according to Claim 29, wherein said biasing member including at least one helical spring.

34. (New) The power tool according to Claim 30, wherein said biasing member extending from said end wall.

35. (New) The power tool according to Claim 29, wherein said battery pack including a pair of rails mating in said channels.

36. (New) The power tool according to Claim 35, wherein said battery pack rails including an upper portion, lower portion and a channel between said upper and lower portions.

37. (New) The power tool according to Claim 29, wherein said at least one helical spring partially ejects said battery pack.

38. (New) The power tool according to Claim 35, wherein said battery rails slide in said channels and said frame rails suspend said battery pack from said tool housing.